

# **Exhibit 5**

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25 UNITED STATES DISTRICT COURT  
26 NORTHERN DISTRICT OF CALIFORNIA  
27 SAN FRANCISCO DIVISION

28 ALPHA & OMEGA SEMICONDUCTOR,  
LTD., a Bermuda corporation; and  
ALPHA & OMEGA SEMICONDUCTOR,  
INC., a California corporation,

Plaintiffs and Counterdefendants,

v.

FAIRCHILD SEMICONDUCTOR  
CORP., a Delaware corporation,

Defendant and Counterclaimant.

AND RELATED COUNTERCLAIMS.

Case No. C 07-2638 JSW  
(Consolidated with Case No. C-07-2664 JSW)

**AOS'S RESPONSES AND OBJECTIONS  
TO FAIRCHILD'S SECOND SET OF  
REQUESTS FOR PRODUCTION**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs and Counterdefendants Alpha & Omega Semiconductor, Ltd. and Alpha & Omega Semiconductor, Inc. (collectively "AOS") hereby respond to the Second Set of Requests for Production ("Requests") propounded by Defendant and Counterclaimant Fairchild Semiconductor Corp. ("Fairchild") in Case No. 07-02638 JSW, averring as follows:

### GENERAL OBJECTIONS

1. AOS generally objects to the Requests to the extent they seek documents and things subject to the attorney-client privilege and/or work-product doctrine, or any other privilege or protection afforded by law. Any inadvertent production of any document or thing shall not constitute a waiver of any privileges of AOS, and AOS reserves its rights to demand and obtain the return of any such document or thing, and all copies thereof. AOS further objects to the Requests to the extent they require AOS to search for and reveal privileged information, documents, and things from its and its attorneys' files. AOS will schedule withheld documents and things on a privilege log pursuant to the agreement of the parties, which is currently being negotiated.

2. AOS generally objects to the Requests to the extent they seek to impose upon AOS obligations different from, or in addition to, those obligations imposed by the Federal Rules of Civil Procedure, the Civil Local Rules or the Patent Local Rules of the Northern District of California, or any Orders of the Court. AOS' responses shall be controlled by the requirements imposed by the Federal Rules of Civil Procedure, Federal Rules of Evidence, the applicable Local Rules, and Orders of the Court.

3. AOS objects to Fairchild's definitions of "AOS," "you," and "your" as vague, ambiguous, overly broad, and unduly burdensome to the extent they seek to make the Requests apply to, and seek information, documents, or things from, persons or entities other than, or beyond the control of, Alpha & Omega Semiconductor, Ltd. or Alpha & Omega Semiconductor, Inc. Subject to its general and specific objections, AOS shall base its answers to the Requests solely on information, documents, or things that are in the custody, possession, or control of Alpha & Omega Semiconductor, Ltd. or Alpha & Omega Semiconductor, Inc.

4. AOS objects to Fairchild's definition of "Accused AOS Device" as overly broad. As Fairchild has defined the term, it purports to encompass each and every trench MOSFET or IGBT product that AOS has ever made, used, offered for sale, sold, or imported. AOS will treat the term "Accused AOS Device" as including the fourteen devices cited in Fairchild's Disclosure of Asserted Claims and Preliminary Infringement Contentions, namely AO4410, AO4413A, AO4422, AO4468, AO6402, AO6405, AO4704, AO4812, AO4912, AO4914, AOD438, AOD414, AOL1412, and AOL1414, or as otherwise agreed in the course of the parties' ongoing discussions regarding "representative parts." Likewise, AOS's production of documents and things regarding its commercial products will conform to the agreement, if any, between the parties regarding "representative parts."

5. AOS objects to Fairchild's definitions of "refer or relate to" and "referring or relating to" as vague, ambiguous, unintelligible, and unduly burdensome and oppressive to the extent that it purports to impose any obligations on AOS beyond the requirements of the applicable federal rules of civil procedure.

6. AOS objects to Fairchild's definition of "document" as being overly broad, and unduly burdensome and oppressive to the extent that the phrase "or to which you have, have had or can obtain access" seeks information that is not in the possession, custody, or control of AOS.

7. AOS objects to Fairchild's definition of "prior art" as overly broad, vague, ambiguous, and unduly burdensome.

8. AOS objects to Fairchild's Instruction No. 2 as overly broad and unduly burdensome to the extent it seeks to impose obligations different from, or in addition to, the obligations imposed by Rule 26(b)(5) of the Federal Rules of Civil Procedure. Accordingly, AOS shall comply with Rule 26(b)(5) with respect to any documents requested to be produced that are withheld on the grounds that they are subject to the attorney-client privilege and/or work-product doctrine, or any other privilege or protection afforded by law. Furthermore, as stated in General Objection No. 1, AOS will schedule withheld documents and things on a privilege log pursuant to the agreement of the parties, which is currently being negotiated.

10. AOS objects to Fairchild's Instruction No. 4 as overly broad and unduly burdensome to the extent it imposes no temporal limitations on the documents sought by these Requests.

11. AOS objects to Fairchild's Instruction No. 5 as overly broad and unduly burdensome to the extent that it seeks to impose an obligation to supplement beyond that specified in Rule 26(e) of the Federal Rules of Civil Procedure. Accordingly, AOS will comply with Rule 26(e), which requires supplementation of disclosures under specific circumstances.

## RESPONSES

**REQUEST FOR PRODUCTION NO. 33:**

All documents and things that relate to the conception of each of the inventions claimed in the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

AOS incorporates by this reference its General Objections. AOS objects further to this request to the extent that it seeks documents and things protected by the attorney-client privilege or the work-product doctrine. AOS objects further that this request calls for a legal conclusion. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 34:**

All documents and things that relate to the actual reduction to practice of each of the inventions claimed in the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

AOS incorporates by this reference its General Objections. AOS objects further that this request calls for a legal conclusion. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request because it is not limited to the asserted claims of the '630 patent. AOS objects further that the request is overly broad in seeking documents and things for any reduction to practice other than the first reduction to practice. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 35:**

All documents and things that relate to the best mode for practicing each of the inventions claimed in the '630 patent known to the inventors at the time of filing of the patent application for each such invention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

AOS incorporates by this reference its General Objections. AOS objects further that this request calls for a legal conclusion. AOS objects further to this request to the extent that it seeks documents and things protected by the attorney-client privilege or the work-product doctrine. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request because it is not limited to the asserted claims of the '630 patent. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 36:**

All documents and things that relate to the contribution made to the inventions claimed in the '630 patent by each of the inventors identified on the face of each of the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

AOS incorporates by this reference its General Objections. AOS objects further to this request to the extent that it seeks documents and things protected by the attorney-client privilege or the work-product doctrine. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further that the phrase "relate to the contribution" is vague and overbroad. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 37:**

All documents and things that relate to the preparation, filing or prosecution of any application, including any reissue application, request for re-examination, continuation application, continuation-in-part application and divisional application, for each of the '630 patent, including, without limitation, the complete file histories, all communications with the Patent and Trademark Office, any and all drafts of such communications, and any and all correspondence relating to or referring to the preparation or prosecution of any such applications.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

AOS incorporates by this reference its General Objections. AOS objects further to this request to the extent that it seeks documents and things protected by the attorney-client privilege or the work-product doctrine. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further that the phrase "for each of the '630 patent" is vague and ambiguous. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 38:**

All documents and things that are prior art to the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

AOS incorporates by this reference its General Objections. AOS objects further that this

1 request calls for a legal conclusion. AOS objects further to this request as being overly broad,  
 2 vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 3 admissible evidence. Subject to and without waiving its objections, AOS responds that it either  
 4 already has or will produce non-privileged responsive documents in its possession, custody, or  
 5 control to the extent they exist and can be located through a reasonable search.

6 **REQUEST FOR PRODUCTION NO. 39:**

7 All documents and things provided by any third party to AOS that purport to identify prior  
 8 art to the '630 patent.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

10 AOS incorporates by this reference its General Objections. AOS objects further that this  
 11 request calls for a legal conclusion. AOS objects further to this request as being overly broad,  
 12 vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 13 admissible evidence. Subject to and without waiving its objections, AOS responds that it either  
 14 already has or will produce non-privileged responsive documents in its possession, custody, or  
 15 control to the extent they exist and can be located through a reasonable search.

16 **REQUEST FOR PRODUCTION NO. 40:**

17 All documents and things that relate to any devices embodying any of the claims of the  
 18 '630 patent that were sold or offered for sale prior to the filing of a patent application for the  
 19 respective invention.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

21 AOS incorporates by this reference its General Objections. AOS objects further to this  
 22 request to the extent that it seeks documents and things protected by the attorney-client privilege  
 23 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
 24 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 25 admissible evidence. AOS objects further to the phrase "filing of a patent application for the  
 26 respective invention" as being vague, ambiguous, and unintelligible. AOS objects further to this  
 27 request as being overly broad and unduly burdensome because it is not limited to the asserted  
 28 claims. Subject to and without waiving its objections, AOS responds that it either already has or



1 will produce non-privileged responsive documents in its possession, custody, or control to the  
2 extent they exist and can be located through a reasonable search.

3 **REQUEST FOR PRODUCTION NO. 41:**

4 All documents and things that relate or refer to any Fairchild product allegedly covered by  
5 any claims of the '630 patent.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

7 AOS incorporates by this reference its General Objections. AOS objects further to this  
8 request to the extent that it seeks documents and things protected by the attorney-client privilege  
9 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
10 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
11 admissible evidence. AOS objects further to this request to the extent it seeks documents and  
12 things outside the possession, custody, or control of AOS. AOS objects further to this request as  
13 being vague, overly broad, unduly burdensome, harassing, and not reasonably calculated to lead  
14 to the discovery of admissible evidence because it seeks all documents and things that "relate or  
15 refer" to Fairchild products, regardless of the content of those documents or things. Subject to  
16 and without waiving its objections, AOS responds that it either already has or will produce non-  
17 privileged responsive documents in its possession, custody, or control to the extent they exist and  
18 can be located through a reasonable search.

19 **REQUEST FOR PRODUCTION NO. 42:**

20 All documents and things that relate to any products embodying any claims of the '630  
21 patent that were sold or offered for sale at any point in time.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

23 AOS incorporates by this reference its General Objections. AOS objects further to this  
24 request to the extent that it seeks documents and things protected by the attorney-client privilege  
25 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
26 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
27 admissible evidence because it seeks all documents and things that "relate to" any products. AOS  
28 objects further to this request as being overly broad and unduly burdensome because it is not

1 limited in time and not limited to the asserted claims of the '630 patent. Subject to and without  
 2 waiving its objections, AOS responds that it either already has or will produce non-privileged  
 3 responsive documents relating to any product upon which AOS intends to rely that are in its  
 4 possession, custody, or control to the extent they exist and can be located through a reasonable  
 5 search.

6 **REQUEST FOR PRODUCTION NO. 43:**

7 All documents that relate to the structure, operation, function or performance of any  
 8 products embodying any claims of the '630 patent.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

10 AOS incorporates by this reference its General Objections. AOS objects further to this  
 11 request to the extent that it seeks documents and things protected by the attorney-client privilege  
 12 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
 13 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 14 admissible evidence because it seeks all documents and things that "relate to" any products. AOS  
 15 objects further to this request as being overly broad and unduly burdensome because it is not  
 16 limited in time and not limited to the asserted claims of the '630 patent. Subject to and without  
 17 waiving its objections, AOS responds that it either already has or will produce non-privileged  
 18 responsive documents in its possession, custody, or control to the extent they exist and can be  
 19 located through a reasonable search.

20 **REQUEST FOR PRODUCTION NO. 44:**

21 All external and internal specifications, design specifications and data sheets for any  
 22 products embodying any claims of the '630 patent.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

24 AOS incorporates by this reference its General Objections. AOS objects further to this  
 25 request to the extent that it seeks documents and things protected by the attorney-client privilege  
 26 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
 27 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 28 admissible evidence. AOS objects further to this request as being overly broad and unduly

1 burdensome because it is not limited in time and not limited to the asserted claims of the '630  
 2 patent. AOS objects further to this request because the phrase "external and internal  
 3 specifications" is vague and ambiguous. Subject to and without waiving its objections, AOS  
 4 responds that it either already has or will produce non-privileged responsive documents in its  
 5 possession, custody, or control to the extent they exist and can be located through a reasonable  
 6 search.

7 **REQUEST FOR PRODUCTION NO. 45:**

8 All documents that relate to the specifications of any products embodying any claims of  
 9 the '630 patent.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

11 AOS incorporates by this reference its General Objections. AOS objects further to this  
 12 request to the extent that it seeks documents and things protected by the attorney-client privilege  
 13 or the work-product doctrine. AOS objects further to this request as being overly broad, vague,  
 14 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 15 admissible evidence. AOS objects further to this request as being overly broad and unduly  
 16 burdensome because it is not limited to the asserted claims of the '630 patent. AOS objects  
 17 further to this request as being overly broad, unduly burdensome, and harassing because it seeks  
 18 all documents "related" to product specifications. Subject to and without waiving its objections,  
 19 AOS responds that it either already has or will produce non-privileged responsive documents in  
 20 its possession, custody, or control to the extent they exist and can be located through a reasonable  
 21 search.

22 **REQUEST FOR PRODUCTION NO. 46:**

23 All documents and things, including without limitation, letters, memos, e-mails or notes of  
 24 phone conversations or personal meetings that relate to the notification to any third party of  
 25 infringement or potential infringement of the '630 patent.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 46:**

27 AOS incorporates by this reference its General Objections. AOS objects further to this  
 28 request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably

1 calculated to lead to the discovery of admissible evidence. AOS objects further to the extent this  
 2 request purports to seek documents covered by the attorney-client privilege or the work-product  
 3 doctrine. AOS objects further that the request is vague as to "third party" and overly broad to the  
 4 extent it includes any entity other than Fairchild or AOS. Subject to and without waiving its  
 5 objections, AOS responds that it either already has or will produce non-privileged responsive  
 6 documents in its possession, custody, or control to the extent they exist and can be located  
 7 through a reasonable search.

8 **REQUEST FOR PRODUCTION NO. 47:**

9 All documents and things, including without limitation, letters, memos, e-mails or notes of  
 10 phone conversations or personal meetings that relate to the provision of notice to Fairchild of the  
 11 existence of the '630 patent, including, without limitation, notices of infringement and threats of  
 12 suit.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

14 AOS incorporates by this reference its General Objections. AOS objects further that this  
 15 request seeks documents and information in Fairchild's actual or constructive possession. AOS  
 16 objects further to the extent this request purports to seek documents covered by the attorney-client  
 17 privilege or the work-product doctrine. AOS objects further to this request as being overly broad,  
 18 vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 19 admissible evidence. AOS objects further that the phrase "relate to the provision of notice" is  
 20 vague and ambiguous. Subject to and without waiving its objections, AOS responds that it either  
 21 already has or will produce non-privileged responsive documents in its possession, custody, or  
 22 control to the extent they exist and can be located through a reasonable search.

23 **REQUEST FOR PRODUCTION NO. 48:**

24 Separately segregated as to each of the AOS Asserted Patents, all documents and things  
 25 that discuss, evidence, record, refer to, relate to, or form the basis of AOS's allegation that  
 26 Fairchild has infringed one or more claims of the '630 patent.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

28 AOS incorporates by this reference its General Objections. AOS objects further to this

request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent that it seeks documents and things protected by the attorney-client privilege or the work-product doctrine. AOS objects further to this request as being premature and calling for expert analysis. AOS objects further to this request as being vague, ambiguous, and unintelligible because it requests documents "segregated as to each of the AOS Asserted Patents," but seeks documents that show infringement of "one or more claims of the '630 patent." Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO 49:**

All documents and things that relate to how and/or when AOS first became aware of the Fairchild products or methods alleged to infringe any or all of the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO 49:**

AOS incorporates by this reference its General Objections. AOS objects further to the extent this request purports to seek documents covered by the attorney-client privilege or the work-product doctrine. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 50:**

All documents and things that relate to any analysis of any of Fairchild's products or methods for the purpose of determining whether such products or methods infringed any or all of the '630 patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

AOS incorporates by this reference its General Objections. AOS objects further to this request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably

1 calculated to lead to the discovery of admissible evidence. AOS objects further to this request to  
 2 the extent that it seeks documents and things protected by the attorney-client privilege or the  
 3 work-product doctrine. Subject to and without waiving its objections, AOS responds that it either  
 4 already has or will produce non-privileged responsive documents in its possession, custody, or  
 5 control to the extent they exist and can be located through a reasonable search.

6 **REQUEST FOR PRODUCTION NO. 51:**

7 All documents that relate to any civil action, arbitration proceeding or other legal or  
 8 administrative proceeding (including any interference, opposition, reissue or re-examination  
 9 proceeding in the U.S. Patent and Trademark office), filed in the United States where the  
 10 infringement, scope, interpretation, misuse, priority, validity and/or enforceability of the '630  
 11 patent is or was an issue, including, without limitation, all pleadings, motions, briefs,  
 12 declarations, affidavits, expert witness disclosures and reports, discovery requests and responses,  
 13 documents produced by any party or non-party, transcripts of trials and hearings, transcripts of  
 14 depositions (and exhibits thereto), trial and/or hearing exhibits, settlement agreements, prior art to  
 15 any of the '630 patent and correspondence between AOS and any other party or any non-party or  
 16 any expert witness regarding any aspect of the litigation, including settlement.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

18 AOS incorporates by this reference its General Objections. AOS objects further to the  
 19 extent this request purports to seek documents covered by the attorney-client privilege or the  
 20 work product doctrine. AOS objects further to this request as being overly broad, vague,  
 21 ambiguous, unduly burdensome, and not reasonably calculated to lead to the discovery of  
 22 admissible evidence. AOS objects further that the phrase "prior art to any of the '630 patent" is  
 23 vague, ambiguous, and unintelligible. AOS objects further to the extent that it calls for expert  
 24 analysis or legal conclusions. Subject to and without waiving its objections, AOS responds that it  
 25 either already has or will produce non-privileged responsive documents in its possession, custody,  
 26 or control to the extent they exist and can be located through a reasonable search.

27 **REQUEST FOR PRODUCTION NO. 52:**

28 All documents that relate to any and all communications between AOS and Fairchild

1 pertaining to the '630 patent.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

3 AOS incorporates by this reference its General Objections. AOS objects further to the  
4 extent this request purports to seek documents covered by the attorney-client privilege or the  
5 work-product doctrine. AOS objects further that this request seeks documents and information in  
6 Fairchild's actual or constructive possession. AOS objects further to this request as being overly  
7 broad, vague, ambiguous, unduly burdensome, and not reasonably calculated to lead to the  
8 discovery of admissible evidence. AOS objects further that the request is vague and overly broad  
9 with respect to the phrase "documents that relate to any and all communications". Subject to and  
10 without waiving its objections, AOS responds that it either already has or will produce non-  
11 privileged responsive documents in its possession, custody, or control to the extent they exist and  
12 can be located through a reasonable search.

13 **REQUEST FOR PRODUCTION NO. 53:**

14 All documents that relate to company directories, organizational charts and similar  
15 documents sufficient to show names, locations (geographic or by department or division) and  
16 reporting lines of all AOS officers, directors or employees who may have had knowledge  
17 concerning AOS's design, development, manufacture, production, marketing, distribution and/or  
18 sale of any AOS power transistor products, including any products that embody the claims of the  
19 '630 patent.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

21 AOS incorporates by this reference its General Objections. AOS objects further to this  
22 request as being overly broad, vague, ambiguous, unduly burdensome, and not reasonably  
23 calculated to lead to the discovery of admissible evidence. Subject to and without waiving its  
24 objections, AOS will produce non-privileged documents sufficient to identify the officers,  
25 directors, or employees of AOS who have knowledge of the technical design and operation of  
26 AOS's power transistor products.

27 **REQUEST FOR PRODUCTION NO. 54:**

28 All documents and things that you may use to support your claims or defenses.



**RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is unlimited in time and scope. AOS objects further to this request as premature and calling for expert analysis. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS objects further to this request as being vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 55:**

All documents and things on which you intend to rely at trial or at any pre-trial hearing.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is unlimited in time and scope. AOS objects further to this request as being premature and calling for expert analysis. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS objects further to this request as being vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being duplicative, cumulative, unduly burdensome, oppressive, and harassing to the extent it seeks documents requested in other requests, including Request For Production No. 54. Subject to and without waiving its



1 objections, AOS responds that it either already has or will produce non-privileged responsive  
2 documents.

3 **REQUEST FOR PRODUCTION NO. 56:**

4 All documents supporting or relating to any contention by AOS that it does not infringe  
5 the Fairchild Asserted Patents, including without limitation non-infringement studies, non-  
6 infringement reports, and any search, opinion, study, investigation, or analysis conducted by or on  
7 behalf of you to determine whether you infringe any AOS Asserted Patents.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

9 AOS incorporates by this reference its General Objections. AOS objects further to this  
10 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
11 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
12 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
13 objects further that this request is premature and improper to the extent it seeks discovery  
14 inconsistent with the requirements of Patent L.R. 3-8. AOS objects further to this request as  
15 being overly broad, unduly burdensome, and harassing because it is unlimited in time and scope.  
16 AOS objects further to this request as premature and calling for expert analysis. AOS objects  
17 further to this request to the extent that it seeks materials protected by the attorney-client privilege  
18 or work-product doctrine. AOS objects further to this request as being vague, ambiguous, and  
19 unintelligible because it seeks documents regarding whether AOS infringes its own patents. AOS  
20 objects further that this request is not reasonably calculated to lead to the discovery of admissible  
21 evidence. Subject to and without waiving its objections, AOS responds that it either already has  
22 or will produce non-privileged responsive documents in its possession, custody, or control to the  
23 extent they exist and can be located through a reasonable search.

24 **REQUEST FOR PRODUCTION NO. 57:**

25 All documents and things relating to the alleged invalidity or unenforceability of the  
26 Fairchild Asserted Patents, including without limitation any search, opinion, study, report,  
27 investigation, or analysis conducted by or on behalf of you to determine whether any Fairchild  
28 Asserted Patents are invalid or unenforceable.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further that the request is vague and ambiguous with respect to the phrase "relating to the alleged invalidity or unenforceability of the Fairchild Asserted Patents." AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is unlimited in time and scope. AOS objects further to this request as premature, calling for expert analysis, and calling for legal conclusions. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS objects further to this request as being vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 58:**

All documents and things relating to the level of knowledge, schooling, experience, expertise or relevant technical skill of a person having ordinary skill in the art relating to any invention disclosed, described or claimed in the AOS Asserted Patents or Fairchild Asserted Patents (as this phrase is used in 35 U.S.C. § 103).

**RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further that the request is vague and ambiguous with respect to the phrase "all documents and things sufficient to show." AOS objects further to this request as calling for legal conclusions and expert opinion testimony that will be the subject of expert discovery. AOS objects further to

1 this request to the extent that it seeks materials protected by the attorney-client privilege or work-  
 2 product doctrine. Subject to and without waiving its objections, AOS responds that it either  
 3 already has or will produce non-privileged responsive documents in its possession, custody, or  
 4 control to the extent they exist and can be located through a reasonable search.

5 **REQUEST FOR PRODUCTION NO. 59:**

6 All documents and things sufficient to show the name, number, line, series, family and  
 7 any other designation used by you to refer to each Accused AOS Device.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

9 AOS incorporates by this reference its General Objections. AOS objects further to this  
 10 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 11 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 12 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 13 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 14 not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without  
 15 waiving its objections, AOS responds that it either already has or will produce non-privileged  
 16 responsive documents in its possession, custody, or control to the extent they exist and can be  
 17 located through a reasonable search.

18 **REQUEST FOR PRODUCTION NO. 60:**

19 A fully functional sample of each Accused AOS Device.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

21 AOS incorporates by this reference its General Objections. AOS objects further to this  
 22 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 23 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 24 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 25 objects further to this request as being overbroad, unduly burdensome, oppressive, and not  
 26 reasonably calculated to lead to admissible evidence. Subject to and without waiving its  
 27 objections, AOS responds that it will produce a mutually agreed-upon sample of its products.

28 **REQUEST FOR PRODUCTION NO. 61:**

1 All documents and things describing any analyses of the Accused AOS devices, including  
 2 but not limited to Secondary Ion Mass Spectrometry (SMS), Scanning Electron Microscopy  
 3 (SEM), or Transmission Electron Microscopy (TEM).

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

5 AOS incorporates by this reference its General Objections. AOS objects further to this  
 6 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 7 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 8 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 9 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 10 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
 11 this request as premature and calling for expert analysis. AOS objects further to this request to  
 12 the extent that it seeks materials protected by the attorney-client privilege or work-product  
 13 doctrine. Subject to and without waiving its objections, AOS responds that it either already has  
 14 or will produce non-privileged responsive documents in its possession, custody, or control to the  
 15 extent they exist and can be located through a reasonable search.

16 **REQUEST FOR PRODUCTION NO. 62:**

17 Documents sufficient to determine the function and/or performance characteristics of any  
 18 layer, region, interface, connection, and/or bond, the spreading resistance, conductivity type,  
 19 threshold voltage, turn-on resistance, depletion width, channel length, breakdown voltage,  
 20 breakdown profile, and punch-through tolerance of the Accused AOS devices.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

22 AOS incorporates by this reference its General Objections. AOS objects further to this  
 23 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 24 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 25 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 26 further objects to the request as being vague and ambiguous with respect to the phrase "layer,  
 27 region, interface, connection, and/or bond, the spreading resistance, conductivity type, threshold  
 28 voltage, turn-on resistance, depletion width, channel length, breakdown voltage, breakdown

profile, and punch-through tolerance.” AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as premature and calling for expert analysis. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents regarding a mutually agreed-upon sample of its accused products.

**REQUEST FOR PRODUCTION NO. 63:**

All documents and things concerning the advantages or purported advantages of any Accused AOS Device, including without limitation statements related to cost savings, quality, reliability, features, functions, power consumption, voltage requirements, or other purported advantages of any Accused AOS Device.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS’s request and that Fairchild’s objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as premature and calling for expert analysis. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS objects further to this request to the extent it calls for speculation. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents regarding a mutually agreed-upon sample of its accused products.

**REQUEST FOR PRODUCTION NO. 64:**

Product specifications for any Accused AOS Device, including without limitation documents and things sufficient to show their dimensions (including thickness of each layer) and

1 components, materials from which they are made (including concentrations of each element), the  
 2 electrical properties of the materials, the mechanical properties of the materials, the thermal  
 3 properties of the materials, and a complete set of design, engineering, and/or manufacturing  
 4 drawings of any Accused AOS Device.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

6 AOS incorporates by this reference its General Objections. AOS objects further to this  
 7 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 8 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 9 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 10 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 11 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
 12 this request to the extent that it seeks materials protected by the attorney-client privilege or work-  
 13 product doctrine. Subject to and without waiving its objections, AOS responds that it either  
 14 already has or will produce non-privileged responsive documents regarding a mutually agreed-  
 15 upon sample of its accused products.

16 **REQUEST FOR PRODUCTION NO. 65:**

17 All articles, publications, papers, reports, or presentations authored in whole or in part by  
 18 a current or former employee of AOS concerning any Accused AOS Device.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 65:**

20 AOS incorporates by this reference its General Objections. AOS objects further to this  
 21 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 22 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 23 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 24 further objects to this request as being vague and ambiguous with respect to the phrase  
 25 "concerning any Accused AOS Device." AOS objects further to this request as being overly  
 26 broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the  
 27 discovery of admissible evidence. AOS objects further to this request to the extent it seeks  
 28 confidential business information and AOS trade secrets. Subject to and without waiving its



1 objections, AOS responds that it either already has or will produce non-privileged responsive  
 2 documents in its possession, custody, or control to the extent they exist and can be located  
 3 through a reasonable search.

4 **REQUEST FOR PRODUCTION NO. 66:**

5 All documents and things concerning your first design of any Accused AOS Device,  
 6 including but not limited to documents sufficient to identify all persons having knowledge of your  
 7 first design of the device, any drawings, specifications, recipes, other descriptions of the device,  
 8 and/or any prototype of the device.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 66:**

10 AOS incorporates by this reference its General Objections. AOS objects further to this  
 11 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 12 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 13 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 14 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 15 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
 16 this request as not reasonably calculated to lead to admissible evidence. Subject to and without  
 17 waiving its objections, AOS responds that it either already has or will produce non-privileged  
 18 responsive documents in its possession, custody, or control to the extent they exist and can be  
 19 located through a reasonable search.

20 **REQUEST FOR PRODUCTION NO. 67:**

21 All documents and things relating to competitive analyses, comparisons, reports, reverse  
 22 engineering, or differences in structure, function, operation, performance, or the advantages or  
 23 disadvantages of any Accused AOS Device.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 67:**

25 AOS incorporates by this reference its General Objections. AOS objects further to this  
 26 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 27 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 28 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS

1 further objects to this request as being vague and ambiguous with respect to the phrase "the  
 2 advantages or disadvantages of any Accused AOS Device." AOS objects further to this request  
 3 as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to  
 4 lead to the discovery of admissible evidence. AOS objects further to this request to the extent  
 5 that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS  
 6 objects further to this request to the extent it seeks confidential business information and AOS  
 7 trade secrets. Subject to and without waiving its objections, AOS responds that it either already  
 8 has or will produce non-privileged responsive documents in its possession, custody, or control to  
 9 the extent they exist and can be located through a reasonable search.

10 **REQUEST FOR PRODUCTION NO. 68:**

11 Documents and things sufficient to identify any entity that performs any part of the  
 12 manufacture of any Accused AOS Devices, including any entity that acts as a foundry or wafer  
 13 fab, and documents and things sufficient to identify the role that entity plays in the manufacture  
 14 of any Accused AOS Devices.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 68:**

16 AOS incorporates by this reference its General Objections. AOS objects further to this  
 17 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 18 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 19 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 20 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 21 not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without  
 22 waiving its objections, AOS directs Fairchild to AOS's response to Interrogatory #8.

23 **REQUEST FOR PRODUCTION NO. 69:**

24 All documents and things relating to any work performed by any person or entity other  
 25 than AOS or its employees relating to the research, design, development, or manufacture of any  
 26 Accused AOS Device.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 69:**

28 AOS incorporates by this reference its General Objections. AOS objects further to this



request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent it seeks information confidential to third parties. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 70:**

All communications between you, on the one hand, and the named inventors of the Fairchild Asserted Patents, on the other hand, relating to any Accused AOS Device or any Fairchild Asserted Patents.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 70:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overbroad, unduly burdensome, and harassing because "communications ... relating to any Fairchild Asserted Patents or AOS Asserted Patents" is not limited to relevant subject matter. AOS objects further to the extent this request purports to seek documents covered by the attorney-client privilege and/or work-product doctrine. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 71:**

1 All documents and things relating to communications between you, on the one hand, and  
 2 any other person or entity (including actual or potential customers), on the other hand, relating to  
 3 any Fairchild Asserted Patents or AOS Asserted Patents.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 71:**

5 AOS incorporates by this reference its General Objections. AOS objects further to this  
 6 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 7 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 8 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 9 objects further to this request to the extent it seeks documents and things subject to the attorney-  
 10 client privilege or work-product doctrine. AOS objects further to this request as being overly  
 11 broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the  
 12 discovery of admissible evidence. AOS objects further to this request as being overbroad, unduly  
 13 burdensome, and harassing because "communications ... relating to any Fairchild Asserted  
 14 Patents or AOS Asserted Patents" is not limited to relevant subject matter. AOS objects further to  
 15 this request to the extent it seeks information confidential to third parties. Subject to and without  
 16 waiving its objections, AOS responds that it will produce non-privileged responsive documents in  
 17 its possession, custody, or control to the extent they exist and can be located through a reasonable  
 18 search.

19 **REQUEST FOR PRODUCTION NO. 72:**

20 All documents and things relating to any products that compete with any Accused AOS  
 21 Device in the relevant market, including without limitation competitive analyses and product  
 22 comparisons.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 72:**

24 Pursuant to the parties' stipulation, AOS reserves its right to object and respond to this  
 25 request at a later time.

26 **REQUEST FOR PRODUCTION NO. 73:**

27 Documents sufficient to show the earliest date when you became aware of each of the  
 28 Fairchild Asserted Patents and the actions taken by you in response to such awareness.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 73:**

Pursuant to the parties' stipulation, AOS reserves its right to object and respond to this request at a later time with respect to the earliest date when AOS became aware of the Fairchild Asserted Patents.

With respect to actions taken by AOS in response to awareness of the Fairchild Asserted Patents, AOS responds as follows: AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent that it seeks materials protected by the attorney-client privilege or work-product doctrine. AOS objects further to this request to the extent it seeks confidential business information. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 74:**

All documents and things relating to knowledge of the Fairchild Asserted Patents by any individual involved in the research, design, development, engineering and testing of any Accused AOS Device.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 74:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further

1 that the phrase "relating to knowledge" makes this request overly broad and unduly burdensome.  
 2 AOS objects further to this request because it seeks documents and things outside the possession,  
 3 custody, or control of AOS. Subject to and without waiving its objections, AOS responds that it  
 4 either already has or will produce non-privileged responsive documents in its possession, custody,  
 5 or control to the extent they exist and can be located through a reasonable search.

6 **REQUEST FOR PRODUCTION NO. 75:**

7 All documents and things relating to your document retention policies.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 75:**

9 AOS incorporates by this reference its General Objections. AOS objects further to this  
 10 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 11 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 12 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 13 objects further to this request to the extent it seeks documents and things subject to the attorney-  
 14 client privilege or work-product doctrine. AOS objects further to this request as being overly  
 15 broad and unduly burdensome in requesting irrelevant information not reasonably calculated to  
 16 lead to admissible evidence. AOS objects further that this request is overly broad and unduly  
 17 burdensome because it seeks "all" documents and things, including cumulative, duplicative, and  
 18 redundant items. Subject to and without waiving its objections, AOS responds that it either  
 19 already has or will produce non-privileged responsive documents in its possession, custody, or  
 20 control to the extent they exist and can be located through a reasonable search.

21 **REQUEST FOR PRODUCTION NO. 76:**

22 Documents sufficient to identify the location where each Accused AOS Device was  
 23 researched, designed, tested, made, sold or offered for sale by or on behalf of you.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 76:**

25 AOS incorporates by this reference its General Objections. AOS objects further to this  
 26 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 27 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 28 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS

objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further that the locations sought in this request are not relevant to the claims or defenses in this action. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 77:**

All documents constituting or relating to business plans, strategic plans, consultant reports or strategy reviews concerning the design, manufacture, marketing or sale of any Accused AOS Device.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 77:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent it seeks confidential business information and AOS trade secrets. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search. Pursuant to the parties' stipulation, AOS reserves its right to object further and respond to this request at a later time.

**REQUEST FOR PRODUCTION NO. 78:**

Documents sufficient to identify each of your U.S. and foreign customers for any Accused AOS Device.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 78:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent

1 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 2 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 3 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 4 not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without  
 5 waiving its objections, AOS responds that it will produce non-privileged responsive documents in  
 6 its possession, custody, or control to the extent they exist and can be located through a reasonable  
 7 search.

8 **REQUEST FOR PRODUCTION NO. 79:**

9 All documents reflecting communications regarding Fairchild, any of the AOS Asserted  
 10 Patents, Fairchild Asserted Patents or this litigation, with each customer, potential customer,  
 11 buyer, client, consumer or vendor for all the Accused AOS Devices.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 79:**

13 AOS incorporates by this reference its General Objections. AOS objects further to this  
 14 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 15 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 16 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 17 objects further to this request as being overly broad, unduly burdensome, vague, and ambiguous,  
 18 particularly with respect to the phrase "documents reflecting communications." AOS objects  
 19 further that the request is not reasonably calculated to lead to the discovery of admissible  
 20 evidence. Subject to and without waiving its objections, AOS responds that it either already has  
 21 or will produce non-privileged responsive documents in its possession, custody, or control to the  
 22 extent they exist and can be located through a reasonable search.

23 **REQUEST FOR PRODUCTION NO. 80:**

24 All documents evidencing your knowledge or lack of knowledge concerning the  
 25 downstream sales or uses of any Accused AOS Device, including without limitation your  
 26 knowledge or lack of knowledge that any Accused Fairchild Devices are made, used, sold,  
 27 offered for sale, or imported in(to) the United States.

28 **RESPONSE TO REQUEST FOR PRODUCTION NO. 80:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being vague, ambiguous, overly broad, and unintelligible. AOS objects further to this request as being vague, ambiguous, and unintelligible because it initially refers to "Accused AOS Devices," and later refers to including "Accused Fairchild Devices." AOS objects further that the request is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 81:**

All documents and things relating to any patents (whether expired or in force) or patent applications (whether issued, pending, or abandoned) related to the AOS Asserted Patents, including any continuations, continuations-in-part, divisionals, reissues, reexaminations, or counterparts related thereto, and any related foreign patents and patent applications, including any underlying patent applications.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 81:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS further objects to this request as being vague and ambiguous with respect to the phrase "underlying patent applications." AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.



**REQUEST FOR PRODUCTION NO. 82:**

All notebooks, diaries, files, appointment calendars, research reports, or workbooks generated or maintained by any inventor of any of the Fairchild Asserted Patents or AOS Asserted Patents during the time period beginning with the earliest possible date of conception of the patented invention and ending with the issuance of the patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 82:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request to the extent it seeks documents and things subject to the attorney-client privilege or work-product doctrine. AOS objects further to this request as being overly broad, unduly burdensome and vague. AOS objects further that the request is neither limited to relevant evidence nor reasonably calculated to lead to admissible evidence. AOS objects further to the extent it seeks personal items, or items under the control of Fairchild, and thus not in the possession, custody, or control of AOS. AOS objects further that the request is ambiguous because it refers to inventors of the Fairchild and AOS patents, but subsequently refers to "the earliest possible date of conception of the patented invention and ending with the issuance of the patent." Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 83:**

All documents and things prepared, reviewed, or edited by an inventor of any AOS Asserted Patent relating to any invention disclosed, described, or claimed in the AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 83:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent



that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overly broad and unduly burdensome because it is not limited to the asserted claims of the AOS Asserted Patents and not limited in time. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 84:**

Documents reflecting the last-known residence and employment of each inventor of any AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 84:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request to the extent it seeks documents and things subject to the attorney-client privilege or work-product doctrine. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to the request to the extent it seeks information protected by common law, constitutional and/or statutory rights of privacy. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 85:**

All drawings, prototypes, notes, notebooks, workbooks, project reports, correspondence, memoranda, reports, test results, and all other documents and things relating to, or that were

1 created, used, or referred to in connection with, the design, research, development, or testing of  
 2 any invention claimed, disclosed, or described in any AOS Asserted Patent.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 85:**

4 AOS incorporates by this reference its General Objections. AOS objects further to this  
 5 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 6 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 7 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 8 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 9 not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to  
 10 this request as being overly broad and harassing because it seeks irrelevant items and is not  
 11 limited to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its  
 12 objections, AOS responds that it either already has or will produce non-privileged responsive  
 13 documents in its possession, custody, or control to the extent they exist and can be located  
 14 through a reasonable search.

15 **REQUEST FOR PRODUCTION NO. 86:**

16 All documents and things regarding the breakdown characteristics or performance of  
 17 trench MOSFET devices, including without limitation breakdown initiation.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 86:**

19 AOS incorporates by this reference its General Objections. AOS objects further to this  
 20 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 21 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 22 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 23 objects further to this request as being overly broad, unduly burdensome, and not reasonably  
 24 calculated to lead to the discovery of admissible evidence because it seeks documents and things  
 25 without limitation as to authorship, possession, relationship to the patents in suit, or relationship  
 26 to any accused devices. AOS objects further to this request as seeking documents and things that  
 27 are equally available to Fairchild. AOS objects further that this request is vague and ambiguous  
 28 because it appears to request AOS to collect and provide to Fairchild all documents and things in

1 the entire trench MOSFET industry. Subject to and without waiving its objections, AOS  
 2 responds that it either already has or will produce non-privileged responsive documents regarding  
 3 the breakdown characteristics of a mutually agreed-upon sampling of Accused AOS Devices.

4 **REQUEST FOR PRODUCTION NO. 87:**

5 All documents and things regarding the breakdown characteristics, breakdown  
 6 performance, and/or resistance to "punchthrough" of any devices that AOS contends practice any  
 7 claim of the AOS Asserted Patents, including without limitation any analysis or simulation of the  
 8 breakdown initiation in such devices.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 87:**

10 AOS incorporates by this reference its General Objections. AOS objects further to this  
 11 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 12 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 13 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 14 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 15 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
 16 the extent this request purports to seek document covered by the attorney-client privilege and/or  
 17 work-product doctrine. AOS objects further that this request is premature and calls for expert  
 18 analysis, particularly with regard to the terms "breakdown characteristics," "breakdown  
 19 performance," and "punchthrough." AOS objects further that this request is overly broad and  
 20 harassing because it is not limited to the asserted claims of the AOS Asserted Patents. Subject to  
 21 and without waiving its objections, AOS responds that it either already has or will produce non-  
 22 privileged responsive documents that are in its possession, custody, or control to the extent they  
 23 exist and can be located through a reasonable search.

24 **REQUEST FOR PRODUCTION NO. 88:**

25 All documents and things regarding the doping of any "heavy body" and any "doped  
 26 well" in a MOSFET device, including without limitation the existence or creation of any "abrupt  
 27 junction" at any interface between such a "heavy body" and such a "doped well."

28 **RESPONSE TO REQUEST FOR PRODUCTION NO. 88:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further that this request calls for legal conclusions. AOS objects further that the request is vague and ambiguous and AOS is unable to respond further until after the claim construction phase of the case.

**REQUEST FOR PRODUCTION NO. 89:**

All documents and things referring to or defining an "abrupt junction."

**RESPONSE TO REQUEST FOR PRODUCTION NO. 89:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to the extent this request purports to seek documents covered by the attorney-client privilege and/or the work-product doctrine. AOS objects further that this request is unduly burdensome. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents referring to the term "abrupt junction" and in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 90:**

All documents and things relating to your first commercial embodiment of each and every AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 90:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS

objects further to this request as being overly broad, unduly burdensome, vague, and ambiguous. AOS objects further that this request is not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks documents and things identifying the first sale of products that were not sold or offered for sale until after the patent applications leading to the AOS Asserted Patents were filed. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents that are in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 91:**

All draft or final press releases relating to the AOS Asserted Patents, Fairchild Asserted Patents, this lawsuit, or any product relating to any of the foregoing.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 91:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS further objects to this request as being vague and ambiguous with respect to the phrase "any product relating to any of the foregoing." AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent it seeks documents or communications protected by the attorney-client privilege or the work-product doctrine. AOS objects further to the request to the extent it seeks press releases by Fairchild or other third parties. AOS objects further that the request is overly broad, ambiguous, and harassing because it is not limited to press releases by AOS. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 92:**

1 All documents reflecting any assignment, sale, acquisition, license or transfer of any rights  
2 relating to any AOS Asserted Patent or any related patent or application.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 92:**

4 Pursuant to the parties' stipulation, AOS reserves its right to object and respond to this  
5 request at a later time.

6 **REQUEST FOR PRODUCTION NO. 93:**

7 All documents relating to your contemplated or actual commercial exploitation of any  
8 invention disclosed, described, or claimed by any AOS Asserted Patent, including without  
9 limitation feasibility studies, marketing plans, marketing forecasts, estimates or projections of  
10 market share, periodic research and development reports, management reports or other periodic  
11 reports, advertisements, promotional brochures, product literature, catalogs, trade show exhibits  
12 or displays, technical brochures, specifications, price lists, contracts, purchase orders, papers  
13 published or presented, and customer lists (including sales to all end-users, distributors and  
14 retailers).

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 93:**

16 AOS incorporates by this reference its General Objections. AOS objects further to this  
17 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
18 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
19 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
20 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
21 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
22 this request as being overly broad with respect to "contemplated products." AOS objects further  
23 to this request to the extent that it seeks confidential business information or AOS trade secrets.  
24 AOS objects further to this request as being overly broad, unduly burdensome, and harassing to  
25 the extent that it seeks information about products that do not embody asserted claims of the AOS  
26 Asserted Patents. Subject to and without waiving its objections, AOS responds that it either  
27 already has or will produce non-privileged responsive documents in its possession, custody, or  
28 control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 94:**

Documents sufficient to determine the structure, function, or operation of all products made, used, sold, offered for sale, licensed, offered for license, or transferred by or for AOS that you contend embody or use any invention disclosed, described, or claimed in any AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 94:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent that it is cumulative and duplicative of Request For Production Nos. 10 and 42. AOS objects further to this request to the extent that it seeks information about products that do not embody asserted claims of the AOS Asserted Patents. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 95:**

Documents sufficient to identify all persons who participated in the design or development of all products made, used, sold, offered for sale, licensed, offered for license, or transferred by or for AOS that you contend embodies or uses any invention disclosed, described, or claimed in any AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 95:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS



objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS further objects to this request as being vague and ambiguous with respect to the phrase "participated in the design or development." AOS objects further to this request to the extent that it seeks information about people who participated in the design or development of products that do not embody asserted claims of the AOS Asserted Patents. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 96:**

All documents and things relating to commercial exploitation by others of any invention disclosed, described, or claimed in any AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 96:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous (specifically with respect to the term "others"), and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request to the extent that it seeks information about products that do not embody asserted claims of the AOS Asserted Patents. AOS objects further to this request to the extent it seeks information about third parties. Subject to and without waiving its objections, AOS responds that it will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 97:**

All documents and things relating to any current or former employee of Fairchild.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 97:**



AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS further objects to this request as being vague and ambiguous with respect to the phrase "relating to any current or former employee." AOS objects further to this request as being overly broad, unduly burdensome, vague, and ambiguous. AOS objects further to this request as not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to the extent this request seeks documents covered by the attorney-client privilege, work-product doctrine and/or other doctrine. AOS objects further to the request to the extent it seeks information protected by common law, constitutional and/or statutory rights of privacy. Subject to and without waiving its objections, AOS responds that it will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search, except that AOS will not produce any employee personnel files.

**REQUEST FOR PRODUCTION NO. 98:**

Documents sufficient to identify all persons involved with prosecuting the AOS Asserted Patents, related patents, or related applications.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 98:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request to the extent it seeks documents and things subject to the attorney-client privilege or work-product doctrine. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overly broad and unduly burdensome because it is not limited to individuals with relevant involvement or limited to the AOS asserted patents. Subject to and without waiving its objections, AOS responds that it

1 either already has or will produce non-privileged responsive documents in its possession, custody,  
2 or control to the extent they exist and can be located through a reasonable search.

3 **REQUEST FOR PRODUCTION NO. 99:**

4 All documents constituting or reflecting any search, investigation, evaluation, or opinion  
5 as to the novelty, patentability, validity, enforceability, or scope of any AOS Asserted Patent, or  
6 any related patent or application

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 99:**

8 AOS incorporates by this reference its General Objections. AOS objects further to this  
9 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
10 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
11 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
12 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
13 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further  
14 this request because it seeks materials protected by the attorney-client privilege and/or the work-  
15 product doctrine. AOS objects further to this request as being overly broad, unduly burdensome,  
16 and harassing because it seeks information regarding the novelty, patentability, validity,  
17 enforceability, and scope of unasserted claims, unasserted patents, and unassertable patent  
18 applications. AOS objects further to this request to the extent it calls for expert analysis and legal  
19 conclusions. Subject to and without waiving its objections, AOS responds that it either already  
20 has or will produce non-privileged responsive documents in its possession, custody, or control to  
21 the extent they exist and can be located through a reasonable search.

22 **REQUEST FOR PRODUCTION NO. 100:**

23 All patents and other publications that were reviewed or received by anyone involved with  
24 prosecuting any AOS Asserted Patent, related patent, or related application, during the period of  
25 such involvement.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 100:**

27 AOS incorporates by this reference its General Objections. AOS objects further to this  
28 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent

1 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 2 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 3 objects further to this request to the extent it seeks documents and things subject to the attorney-  
 4 client privilege or work-product doctrine. AOS objects further to this request as being vague and  
 5 ambiguous as to what patents or publications the request is seeking. AOS objects further to this  
 6 request as being overly broad, unduly burdensome, and not reasonably calculated to lead to the  
 7 discovery of admissible evidence because the request seeks patents and publications that are not  
 8 being asserted and are not even related to the asserted patents. Subject to and without waiving its  
 9 objections, AOS responds that it either already has or will produce non-privileged responsive  
 10 documents in its possession, custody, or control to the extent they exist and can be located  
 11 through a reasonable search.

12 **REQUEST FOR PRODUCTION NO. 101:**

13 All documents and things evidencing or relating to making, using, testing, or selling any  
 14 invention disclosed, described, or claimed in any AOS Asserted Patent, including without  
 15 limitation documents and things relating to the first uses (whether or not public) of such  
 16 inventions.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 101:**

18 AOS incorporates by this reference its General Objections. AOS objects further to this  
 19 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 20 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 21 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 22 objects further to this request to the extent it seeks documents and things subject to the attorney-  
 23 client privilege or work-product doctrine. AOS objects further to this request as being overly  
 24 broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the  
 25 discovery of admissible evidence. AOS objects further to this request as being overly broad,  
 26 unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS  
 27 Asserted Patents. Subject to and without waiving its objections, AOS responds that it either  
 28 already has or will produce non-privileged responsive documents in its possession, custody, or

1 control to the extent they exist and can be located through a reasonable search.

2 **REQUEST FOR PRODUCTION NO. 102:**

3 All documents and things evidencing or relating to (a) public use, (b) on sale activity, (c)  
4 commercial exploitation, and (d) experimental use (as these phrases are used in the application of  
5 35 U.S.C. § 102(b)), by each inventor, you, or any other person, of any invention disclosed,  
6 described, or claimed in any AOS Asserted Patent.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 102:**

8 AOS incorporates by this reference its General Objections. AOS objects further to this  
9 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
10 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
11 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
12 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
13 not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to  
14 this request as being unduly burdensome and harassing to the extent it duplicates or is cumulative  
15 of Request For Production Nos. 10, 42, and 101. AOS objects further to this request to the extent  
16 it is duplicative or cumulative of Interrogatory Nos. 5 and 6. AOS objects further to this request  
17 as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted  
18 claims of the AOS Asserted Patents. AOS objects further to this request as being overly broad,  
19 unduly burdensome, and harassing to the extent it seeks documents and things of "others". AOS  
20 objects further to this request to the extent it calls for expert analysis or legal conclusions.  
21 Subject to and without waiving its objections, AOS responds that it either already has or will  
22 produce non-privileged responsive documents in its possession, custody, or control to the extent  
23 they exist and can be located through a reasonable search.

24 **REQUEST FOR PRODUCTION NO 103:**

25 All documents and things constituting, evidencing or relating to patents, publications,  
26 written descriptions, or other prior art references of which you are aware, relating to any  
27 invention claimed in any of the AOS Asserted Patents.

28 **RESPONSE TO REQUEST FOR PRODUCTION NO 103:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents and not limited in time. AOS objects further to this request to the extent it calls for expert analysis or legal conclusions. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 104:**

All publications, including without limitation books, book excerpts, articles in technical or trade publications, conference papers or presentations, or internal technical memoranda, authored in whole or in part by any inventor of any AOS Asserted Patent, regarding breakdown performance or breakdown characteristics of MOSFETs.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 104:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence because it seeks documents and things without limitation as to possession, relationship to the patents in suit, or relationship to any accused devices. AOS objects further that this request is overly broad, unduly burdensome, and harassing because it is not limited to power MOSFETs with a trench design. AOS objects further to this request as seeking documents and things that are equally available to Fairchild. AOS

objects further to this request as being vague and ambiguous. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents concerning trench design power MOSFETs that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 105:**

All publications, articles, conference papers, or technical or marketing presentations relating to any commercial embodiment of the AOS Asserted Patents.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 105:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to this request as being overly broad, unduly burdensome, and harassing because it is substantially cumulative and duplicative of Request For Production Nos. 10 and 42. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 106:**

All documents and things evidencing or relating to any problems solved by any commercial embodiment or invention disclosed, described, or claimed in any AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 106:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent



1 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 2 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 3 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 4 not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to  
 5 this request as being overly broad, unduly burdensome, and harassing because it is substantially  
 6 cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further  
 7 to this request as being overly broad, unduly burdensome, and harassing because it is not limited  
 8 to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its  
 9 objections, AOS responds that it either already has or will produce non-privileged responsive  
 10 documents that are in the possession, custody, or control of AOS to the extent they exist and can  
 11 be located through a reasonable search.

12 **REQUEST FOR PRODUCTION NO. 107:**

13 All documents and things evidencing or relating to failures by persons to solve any  
 14 problems solved by any commercial embodiment or invention disclosed, described, or claimed in  
 15 any AOS Asserted Patent.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 107:**

17 AOS incorporates by this reference its General Objections. AOS objects further to this  
 18 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 19 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 20 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 21 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
 22 not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to  
 23 this request as being overly broad, unduly burdensome, and harassing because it is substantially  
 24 cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further  
 25 to this request as being overly broad, unduly burdensome, and harassing because it is not limited  
 26 to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its  
 27 objections, AOS responds that it either already has or will produce non-privileged responsive  
 28 documents that are in the possession, custody, or control of AOS to the extent they exist and can



1 be located through a reasonable search.

2 **REQUEST FOR PRODUCTION NO. 108:**

3 All documents and things evidencing or relating to whether any commercial embodiment  
4 or invention disclosed, described, or claimed in any AOS Asserted Patent, has been commercially  
5 successful.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 108:**

7 AOS incorporates by this reference its General Objections. AOS objects further to this  
8 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
9 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
10 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
11 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
12 not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to  
13 this request as being overly broad, unduly burdensome, and harassing because it is substantially  
14 cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further  
15 to this request as being overly broad, unduly burdensome, and harassing because it is not limited  
16 to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its  
17 objections, AOS responds that it either already has or will produce non-privileged responsive  
18 documents that are in the possession, custody, or control of AOS to the extent they exist and can  
19 be located through a reasonable search.

20 **REQUEST FOR PRODUCTION NO. 109:**

21 All documents and things evidencing or relating to whether any commercial embodiment  
22 or invention disclosed, described, or claimed in any AOS Asserted Patent, has been copied by  
23 others.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 109:**

25 AOS incorporates by this reference its General Objections. AOS objects further to this  
26 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
27 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
28 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS

objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to this request as being overly broad, unduly burdensome, and harassing because it is substantially cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 110:**

All documents and things evidencing or relating to whether any commercial embodiment or invention disclosed, described, or claimed in any AOS Asserted Patent, has been praised by anyone other than its inventors or you.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 110:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to this request as being overly broad, unduly burdensome, and harassing because it is substantially cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 111:**

1 All documents and things evidencing or relating to whether any commercial embodiment  
2 or invention disclosed, described, or claimed in any AOS Asserted Patent has departed from  
3 accepted principles in the industry.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 111:**

5 AOS incorporates by this reference its General Objections. AOS objects further to this  
6 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
7 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
8 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
9 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and  
10 not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to  
11 this request as being overly broad, unduly burdensome, and harassing because it is substantially  
12 cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further  
13 to this request as being overly broad, unduly burdensome, and harassing because it is not limited  
14 to the asserted claims of the AOS Asserted Patents. AOS objects further that the phrase "departed  
15 from accepted principles in the industry" is vague and ambiguous. Subject to and without  
16 waiving its objections, AOS responds that it either already has or will produce non-privileged  
17 responsive documents that are in the possession, custody, or control of AOS to the extent they  
18 exist and can be located through a reasonable search.

19 **REQUEST FOR PRODUCTION NO. 112:**

20 All documents and things evidencing or relating to whether any commercial embodiment  
21 or invention disclosed, described, or claimed in any AOS Asserted Patent has been recognized by  
22 the industry or received industry acclaim.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 112:**

24 AOS incorporates by this reference its General Objections. AOS objects further to this  
25 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
26 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
27 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
28 objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and

not reasonably calculated to lead to the discovery of admissible evidence. AOS object further to this request as being overly broad, unduly burdensome, and harassing because it is substantially cumulative and duplicative of Request For Production Nos. 10, 42, and 105. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. AOS objects further that the phrase "recognized by the industry or received industry acclaim" is vague and ambiguous. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 113:**

All documents and things evidencing or relating to any mode contemplated by any inventor for carrying out any invention disclosed, described, or claimed in any AOS Asserted Patent, from a period starting with the earliest possible conception of the invention and ending six months after the patent application was filed.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 113:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. AOS objects further to this request as being overly broad, unduly burdensome, harassing, and not reasonably calculated to lead to admissible evidence to the extent that it seeks contemplated modes of operation at any time other than the filing of the patent applications. AOS objects further to this request to the extent that it is cumulative and duplicative of Request For Production No. 35. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive

documents that are in the possession, custody, or control of AOS to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 114:**

All documents reflecting any statement, assertion, or claim by anyone relating to the patentability, validity, enforceability, or scope of any claim of any AOS Asserted Patent, including without limitation any document that states or implies that any AOS Asserted Patent, or any claim thereof, is, or may be, invalid or unenforceable.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 114:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by the Court or agreement of the parties, AOS incorporates those same objections herein. AOS objects further to this request as being overly broad, unduly burdensome, vague, ambiguous, and not reasonably calculated to lead to the discovery of admissible evidence. AOS objects further to this request as being overly broad, unduly burdensome, and harassing because it is not limited to the asserted claims of the AOS Asserted Patents. AOS objects further to this request as being vague and ambiguous by seeking documents that "imply" patent claims are invalid or unenforceable. AOS objects further to the extent this request purports to seek documents covered by the attorney-client privilege and/or work-product doctrine. Subject to and without waiving its objections, AOS responds that it either already has or will produce non-privileged responsive documents in its possession, custody, or control to the extent they exist and can be located through a reasonable search.

**REQUEST FOR PRODUCTION NO. 115:**

A fully functional sample of each commercial embodiment of each and every AOS Asserted Patent.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 115:**

AOS incorporates by this reference its General Objections. AOS objects further to this request in that it is substantially identical to a request that AOS served on Fairchild; to the extent

1 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 2 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 3 further objects to this request as being vague and ambiguous with respect to the phrase "each  
 4 commercial embodiment." AOS objects further that this request is substantially cumulative to  
 5 Request For Production No. 60. AOS objects further to the extent this request seeks information  
 6 protected by the attorney-client privilege, work-product doctrine or other applicable privilege or  
 7 doctrine. AOS objects further on the ground that this request is vague and ambiguous, overbroad,  
 8 unduly burdensome and oppressive and seeks information not relevant to the subject matter of the  
 9 pending action or claims or defenses of any party, and not reasonably calculated to lead to the  
 10 discovery of admissible evidence.

11 **REQUEST FOR PRODUCTION NO. 116:**

12 Documents sufficient to identify, such as by manufacturer, model, and part number, all  
 13 automated information systems at AOS, both past and present, including e-mail and document  
 14 management systems, including without limitation any such e-mail or document management  
 15 systems that would apply to documents concerning the design, manufacture, production,  
 16 marketing, or sales of Accused AOS Devices or documents concerning the AOS Asserted Patents  
 17 or the Fairchild Asserted Patents.

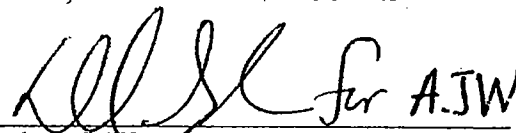
18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 116:**

19 AOS incorporates by this reference its General Objections. AOS objects further to this  
 20 request in that it is substantially identical to a request that AOS served on Fairchild; to the extent  
 21 that Fairchild has objected to AOS's request and that Fairchild's objections are given weight by  
 22 the Court or agreement of the parties, AOS incorporates those same objections herein. AOS  
 23 objects further to this request as being overly broad, unduly burdensome, and not reasonably  
 24 calculated to lead to the discovery of admissible evidence. AOS objects further to this request as  
 25 being overly broad, unduly burdensome, and harassing to the extent that it is not limited to  
 26 automated information systems containing relevant information. AOS objects further to this  
 27 request as being vague, ambiguous, overly broad, and unduly burdensome because the phrase  
 28 "automated information system," unless limited, could encompass every computer workstation or

1 server at AOS. Subject to and without waiving its objections, AOS responds that it either already  
2 has or will produce non-privileged responsive documents in its possession, custody, or control to  
3 the extent they exist and can be located through a reasonable search.

4  
5  
6  
7 Dated: December 12, 2007

MORGAN, LEWIS & BOCKIUS LLP

8  
9 By  for A.J.W.  
10 Andrew J. Wu

11 Attorneys for Plaintiffs and  
12 Counterdefendants  
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14 LTD. AND ALPHA & OMEGA  
15 SEMICONDUCTOR, INC.  
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20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN FRANCISCO DIVISION

23 ALPHA & OMEGA SEMICONDUCTOR,  
24 LTD., a Bermuda corporation; and  
25 ALPHA & OMEGA SEMICONDUCTOR,  
26 INC., a California corporation,

27 *Plaintiffs and Counterdefendants,*

28 v.

29 FAIRCHILD SEMICONDUCTOR  
30 CORP., a Delaware corporation,

31 *Defendant and Counterclaimant.*

32 AND RELATED COUNTERCLAIMS.

Case No. C 07-02638 JSW  
(Consolidated with Case No. C-07-02664 JSW)

**PROOF OF SERVICE**

## PROOF OF SERVICE

*Alpha & Omega Semiconductor v. Fairchild Semiconductor*  
USND-C07-02638 JSW (Consolidated with C-07-02664 JSW)

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 2 Palo Alto Square, 3000 El Camino Real, Suite 700, Palo Alto, CA 94306.

On December 12, 2007, I served the within document(s) on the parties listed below:

- AOS'S RESPONSES AND OBJECTIONS TO FAIRCHILD'S SECOND SET OF REQUESTS FOR PRODUCTION

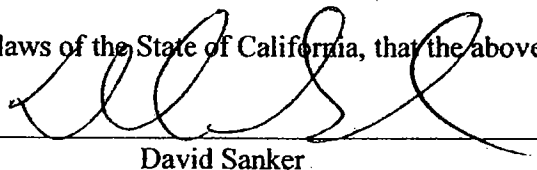
☒ I caused the envelope(s) with the document(s) listed above to be delivered by U.S. Mail, to the addressee(s) noted below.

| Addressee  | Service   |
|--|-----------|
| Eric Jacobs<br>Igor Shoiket<br>Matthew Hulse<br>Leonard Augustine<br>Priya Sreenivasan<br><b>TOWNSEND &amp; TOWNSEND</b><br>2 Embarcadero Center, 8th Floor<br>San Francisco, CA 94111<br>Tel: 415.576.0200<br>Fax: 415.576.0300 | U.S. Mail |

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on December 12, 2007, at Palo Alto, California.

I declare under penalty of perjury, under the laws of the State of California, that the above is true and correct.



David Sanker